

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for pasteurized process American cheese since it contained dehydroacetic acid.

DISPOSITION: June 17, 1952. Default decree of condemnation and destruction.

**19067. Adulteration and misbranding of pasteurized process Gruyere cheese and pasteurized process American cheese. U. S. v. 10 Cases, etc. (F. D. C. No. 32014. Sample Nos. 38491-L, 38492-L.)**

LIBEL FILED: November 15, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 17, 1951, by the Windmill Cheese Co., from Oley, Pa.

PRODUCT: 10 cases, each containing 6 5-pound packages, of pasteurized process Gruyere cheese, and 200 cases, each containing 6 5-pound packages, of pasteurized process American cheese, at Brooklyn, N. Y.

LABEL, IN PART: "Swiss Chalet Gruyere Type Swiss Process Cheese" and "Jason 'Cheeses that Pleases' American Pasteurized."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), (Gruyere cheese) a valuable constituent, milk fat, had been in part omitted from the product; and, Section 402 (b) (2), (American cheese) a product containing more than 40 percent moisture and the solids of which contained less than 50 percent milk fat had been substituted for pasteurized process American cheese.

Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for pasteurized process Gruyere cheese and pasteurized process American cheese, respectively, in that the fat content of the pasteurized process Gruyere cheese was less than 45 percent; the moisture content of the pasteurized process American cheese was more than 40 percent, its solids contained less than 50 percent of milk fat, and its label failed to bear the name of the food specified in the standard, namely, "Pasteurized Process American Cheese."

DISPOSITION: January 7, 1952. The Windmill Cheese Co., Oley, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be reprocessed so that they would comply with the law, under the supervision of the Federal Security Agency. The Gruyere cheese was destroyed, and the American cheese was reworked to comply with the law.

## EGGS

**19068. Adulteration of frozen eggs. U. S. v. 1,600 Cans \* \* \*. (F. D. C. No. 33131. Sample No. 41829-L.)**

LIBEL FILED: May 22, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about April 26, 1952, by the Landsberger Creamery & Produce Co., from Sisseton, S. Dak.

PRODUCT: 1,600 30-pound cans of frozen eggs at San Francisco, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: June 3, 1952. William H. Oldach, Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the

segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 1,260 cans of eggs were found to be fit for human consumption, and the remainder, 363 cans, were destroyed.

**19069. Adulteration of frozen eggs. U. S. v. 600 Cans \* \* \*. (F. D. C. No. 31023. Sample No. 29554-L.)**

**LIBEL FILED:** April 25, 1951, Western District of Washington.

**ALLEGED SHIPMENT:** On or about April 9, 1951, by the Oregon Egg & Poultry Co., from Portland, Oreg.

**PRODUCT:** 600 30-pound cans of frozen eggs at Seattle, Wash.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** May 3, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 515 cans were salvaged, and 85 cans were denatured for use as hog feed.

## FEEDS AND GRAINS

**19070. Adulteration and misbranding of poultry sea food supplement. U. S. v. Archie L. Stanchfield. Plea of guilty. Fine, \$1,000. (F. D. C. No. 31250. Sample No. 64544-K.)**

**INFORMATION FILED:** September 26, 1951, District of Minnesota, against Archie L. Stanchfield, a partner in the partnership of the International Sugar Feed Co., Minneapolis, Minn.

**ALLEGED SHIPMENT:** On or about January 5, 1950, from the State of Minnesota into the State of Iowa.

**LABEL, IN PART:** "A Semi Solid Fish Product International Poultry Sea Food Supplement."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents of the article, vitamin D<sub>3</sub> and niacin, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statements "Guaranteed Analysis \* \* \* Vitamin D<sub>3</sub>, AOAC Chick Units per lb. . . . 38,500 Niacin, Mcg. per lb. . . . 68,760 or 68.76 Mg." were false and misleading since the article per pound contained less than 38,500 AOAC chick units of vitamin D<sub>3</sub> and less than 68,760 micrograms or 68.76 milligrams of niacin.

**DISPOSITION:** June 18, 1952. The defendant having entered a plea of guilty, the court imposed a fine of \$1,000.

**19071. Adulteration and misbranding of Hog Mineral and Cattle Mineral. U. S. v. 336 Bags, etc. (F. D. C. No. 31709. Sample Nos. 3466-L, 3469-L.)**

**LIBEL FILED:** September 14, 1951, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about October 10, 1950, and April 4, 1951, by H. C. Whitmer Co., Inc., from Columbus, Ind.

**PRODUCT:** 336 50-pound bags of Hog Mineral and 232 50-pound bags of Cattle Mineral at Suffolk, Va., together with accompanying labeling consisting of various issues of circulars entitled "Whitmer Pep," which had been received by the consignee on various dates via the U. S. Mail.